Annexure-2

Letter of Bid

(On Official letterhead of the Bidder)

No: Dated:

To,
Managing Director
Bangalore Metro Rail Corporation Ltd,
III Floor, B.M.T.C. Complex,
K.H.Road, Shanthinagar,
Bangalore-560027.

Dear Sir,

Sub: Bid for License of Spare Optical Fibre in Phase-1 & Phase-2 of BMRCL network.

With reference to your Tender Document Number ----------, I/we, having examined the Tender Documents and understood their contents, hereby submit my/our Bid for License of Optical Fibre in Phase-1 & Phase-2 of BMRCL network. The Bid is unconditional and unqualified.

1. I/ We acknowledge that BMRCL shall be relying on the information provided in the Tender and the documents accompanying the Tender for selection of the Licensee for the aforesaid subject, and we certify that all information provided therein is true and correct; nothing has been omitted which renders such information misleading; and all documents accompanying the Bid are true copies of their respective originals.
2. This statement is made for the express purpose of our selection as Licensee for the afore- said subject. I/ We shall make available to BMRCL any additional information it may find necessary or require to supplement or authenticate the Bid.
3. I/ We acknowledge the right of BMRCL to reject our Bid without assigning any reason or otherwise and hereby waive, to the fullest extent permitted by applicable law, our right to challenge the same on any account whatsoever.
4. I/ We declare that:
   a) I/ We have examined and have no reservations to the Tender Documents, including Addendum / Corrigendum, if any, issued by BMRCL; and
   b) I/ We do not have any conflict of interest in accordance with provisions of the Tender document; and
   c) I/ We have not directly or indirectly or through an agent engaged or indulged in any corrupt practice, fraudulent practice, coercive practice, undesirable practice or restrictive practice, as stipulated in the Tender document, in respect of any tender or request for proposal issued by or any agreement entered into with BMRCL; and
   d) I/ We hereby certify that we have taken steps to ensure that in conformity with the provisions of the Tender, no person acting for us or on our behalf has engaged or shall engage in any corrupt practice, fraudulent practice, coercive practice, undesirable practice or restrictive practice.
5. I/ We understand that BMRCL may cancel the Tendering Process at any time and that BMRCL is neither bound to accept any Bid that BMRCL may receive nor to invite the Tenderers to Bid for the above subject, without incurring any liability to the Tenderers, in accordance with provisions of the Tender document.
6. I/ We acknowledge and undertake that I/We fulfill the Eligibility Criteria. I/We have enclosed necessary documents in support of the Eligibility Criteria in the manner prescribed in Tender document.

7. I/ We hereby irrevocably waive any right or remedy which we may have at any stage at law or howsoever otherwise arising to challenge or question any decision taken by BMRCL in connection with the selection of the Bidder, or in connection with the Tendering Process itself, in respect of the above mentioned subject License and the terms and implementation thereof.

8. In the event of my/ our being declared as the Selected Bidder, I/we agree to enter into a License Agreement in accordance with the draft that has been provided to me/ us prior to the Bid Due Date. We agree not to seek any changes in the aforesaid draft and agree to abide by the same.

9. I/ We have studied all the Tender Documents carefully and also surveyed the BMRCL stations. We understand that except to the extent as expressly set-forth in the License Agreement, we shall have no claim, right or title arising out of any documents or information provided to us by BMRCL or in respect of any matter arising out of or relating to the Tendering Process including the award of License.

10. I/ We offer EMD to BMRCL in accordance with the Tender Document. The documents accompanying the Bid, as specified in the Tender, have been submitted in a e-Procurement Portal.

11. I/ We agree and understand that the Bid is subject to the provisions of the Tender Documents. In no case, I/we shall have any claim or right of whatsoever nature if the license as mentioned in above subject is not awarded to me/us or our Bid is not opened or rejected.

12. The Financial Offer has been quoted by me/us after taking into consideration all the terms and conditions stated in the Tender, Draft License Agreement (Annexure-10), addenda /corrigenda, our own estimates of costs and after a careful assessment of the site and all the conditions that may affect the project cost and implementation of the project.

13. I/ We agree and undertake to abide by all the terms and conditions of the Tender document.

14. I/We agree and undertake to be jointly and severally liable for all the obligations of the Licensee under the License Agreement for the License period in accordance with the Agreement.

15. I/ We shall keep this offer valid for 120 (one hundred and twenty) days from the Bid Due Date specified in the Tender.

16. I/ We hereby submit bid documents i.e. Tender documents and Draft License Agreement duly signed as token of unconditional acceptance of all terms and conditions set out herewith.

17. I/We declare that the submitted Tender documents are same as downloaded from e-Procurement portal. I/We have not made any modification / corrections / additions etc. in the Tender Documents. I / We have checked that no page is missing and all pages are legible and indelible. I / We have properly bound the Tender Documents. In case at any stage, it is found that there is any difference in the downloaded Tender Documents from the original Tender Documents available at e-Procurement portal, BMRCL shall have the absolute right to reject my/ our bid or terminate the license agreement after issue of Letter of Acceptance, without any prejudice to take any other action as specified for material breach of conditions of Tender/ License Agreement.

In witness thereof, I/we submit this Bid under and in accordance with the terms of the Tender document.

(Signature, name and designation of the Authorised signatory)
Name and seal of Bidder

Date:

Place :